

REMARKS/ARGUMENTS

1.) Claim Amendments

Claims 26-39, 46, and 47 remain pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Claim Rejections – 35 U.S.C. § 103 (a)

Claims 26-29, 31-33, and 35-39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Harrison (US Patent 6,154,485) (“*Harrison*”) and further in view of Minila (US PG PUB 2004/0044506 A1) (“*Minila*”). The proposed *Harrison-Minila* combination fails to disclose, teach, or suggest every element of the rejected claims.

For example, claim 26 recites:

A method in a receiver unit to receive communication signals from a transmitter unit via a multi-path channel, said method comprising the steps of:

estimating parameters of a channel filter function of said channel from said received communication signals from the transmitter unit;

sub-dividing the channel filter function into two or more parts, a function of which representing an approximation of the estimated full channel filter function;

representing the complex parameters of at least a selection of said parts of the channel filter function as actual parameter values, or as incremental values indicating the difference to a reference value; and,

composing a channel measurement message to be transmitted to the transmitter unit of a portion including said parameter representations and a portion indicating the manner of representing said parameters.

The proposed *Harrison-Minila* combination fails to disclose, teach, or suggest every element of claim 26. For example, the proposed *Harrison-Minila* combination fails to disclose “composing a channel measurement message to be transmitted to the transmitter unit of a portion including said parameter representations and a portion indicating the manner of representing said parameters.” In attempting to address this element of claim 26, the Office Action (at p. 3) cites to a portion of *Harrison* that describes messages generated by a base receiver and transmitted to a base transmitter. *Harrison* at Fig. 1; col. 4, ll. 28-38. The cited portion of *Harrison* indicates simply that “[t]he information contained in such messages are used to determine the operations performed in filters 86 and 88, which may include calculating the values of V_0 and V_1 .”

Harrison at col. 4, lines 35-38. The cited portion of *Harrison* does not indicate that this message includes any information indicating a manner of representing parameters. Thus, the message described by *Harrison* does not “includ[e] said parameter representations and a portion indicating the manner of representing said parameters” (emphasis added). Consequently, *Harrison* fails to disclose “composing a channel measurement message to be transmitted to the transmitter unit of a portion including said parameter representations and a portion indicating the manner of representing said parameters” as recited by claim 26.

Additionally, the proposed *Harrison-Minila* combination is improper. For an obviousness rejection to be appropriate, the Examiner must “identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does.” *KSR Intern. Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1742 (2007). “[A] patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art.” *Id.* Applicants respectfully submit that the Office Action’s explanation for combining the cited references fails to satisfy this requirement. In regards to combining *Minila* with *Harrison*, the Office Action states only that:

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify *Harrison* teachings by dividing the channel filter function into two parts, as taught by *Meinila*. The motivation would be to provide an improved method of simulating a radio channel and a channel simulator, as taught by Meinila.

Office Action at pp. 3-4.

Thus, the only motivation provided by the Office Action for combining the cited references is to make *Harrison* more like *Minila*. This reasoning does nothing more than reiterate that the elements were allegedly known independently in the cited references. As *KSR* emphasizes this is an insufficient basis for combining the references. “[A] patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art.” *KSR* at 1742. The Office Action fails to “identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does” as required by *KSR*. *Id.* As a result, the proposed combination is improper.

Consequently, the proposed *Harrison-Minila* combination fails to disclose, teach, or suggest every element of claim 26. The proposed *Harrison-Minila* combination is also improper. Claim 26 is thus allowable for at least these reasons. Applicants respectfully request reconsideration and allowance of claim 26 and its dependent claims.

Claims 30 and 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Harrison (US Patent 6,154,485) and further in view of Minila (US PGPUB 2004/0044506 A1) and further in view of Cox (US PGPUB 2003/0058929A1. Claims 30 and 34 depend from claim 26, which has been shown above to be allowable. Claims 30 and 34 are thus allowable for at least this reason. Applicants respectfully request reconsideration and allowance of claims 30 and 34.

Claims 46-47 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Harrison* and further in view of *Minila* and further in view of Haartsen (US PGPUB 2002/0131486). Although of differing scope from claim 26, claim 46 is allowable at least for reasons analogous to those discussed with respect to claim 46. Applicants respectfully request reconsideration and allowance of claim 46 and its dependent claims.

CONCLUSION

In view of the foregoing remarks, Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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